

**RESOLUTION 26-21
THE TOWN OF FOREST HEIGHTS**

**A RESOLUTION TO APPOINT A SUCCESSOR TO FILL THE VACANCY IN THE
OFFICE OF COUNCILMAN FOR WARD II**

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, Councilman Jonathon W. Kennedy, II finished his elective service to the Town due to the term limits placed in the Town Charter almost ten years ago with a 2011 amendment to Section 33-3, and he was initially elected to start this recent run of continuous service by special election held on May 19, 2009, to fill a vacancy in Ward II; and

WHEREAS, the Mayor and Council find that Councilman Kennedy's elective service mandatorily ended by operation of law on May 19, 2021, which was the 12th anniversary of his continuous years of service as a councilman, with was just over one year into his current term of office, as he was last elected in March of 2020; therefore, on May 19, 2021, having just 10 months remaining in Councilman Kennedy's last term of office, a vacancy now exists in Ward II; and

WHEREAS, the Town Charter, §33-11 provides that if a vacancy on the Town Council occurs less than fifteen (15) months prior to the next election, the Council shall appoint a person qualified in accordance with Section 33-4 to fill such vacancy until the next regular election; and

WHEREAS, said §33-11 further provides that the person appointed shall reside in the same ward as his predecessor, and the appointment shall require the favorable votes of a majority of the remaining Council members; and

WHEREAS, pursuant to §33-7 of the Town Charter, the Council shall be the judge of the qualifications, as contained in Sections 33-4 and 33-16, of its members; and

WHEREAS, although the councilmembers may suggest other names, the Mayor has recommended or suggests two candidates to fill the vacancy and the Council which includes Mr. David Acevedo and former Councilwoman Theresa Brownson; and

WHEREAS, the Town Ordinance Code, §14.5(a)(3)(ii) requires that an individual who is appointed to fill a vacancy in an office for which a financial disclosure statement is required and who has not already filed a financial disclosure statement shall file a statement for the immediately preceding calendar year within 30 days after appointment.

NOW THEREFORE BE IT RESOLVED, that the Town Council finds the following named candidate to be qualified and hereby approves and appoints [name] Theresa Brownson to fill the vacancy in the Office of Councilman for Ward II, as described above, for the remainder of the current term which ends on or about March 16th of 2022; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign this Resolution on behalf of the Council; and

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BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon passage.

PASSED this 7 day of June 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
MUHAMMAD	<u>Yea</u>
VACANT	<u>Yea</u>
NOBLE	<u>Nay</u>
BARNES	<u>Yea</u>
HINES	<u>Yea</u>
ATKINSON	<u>Yea</u>
WASHINGTON	<u>Yea</u>

ATTEST:

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

SIGNATURE ON FILE

By: Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE

By: Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 7 day of June 2021 with 5 Aye votes and 1 Nay votes the aforesaid Resolution 26-21 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk